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ABSTRACT

A curriculum packet is presented that is designed to give English-as-a-Second-Language (ESL) teachers the information and tools they need to help students address the issue of job discrimination, especially discrimination based on citizenship status or national origin that may result from the employer verification requirement of the Immigration Reform and Control Act (IRCA) of 1986. IRCA requires employers to check the work authorization documents of all workers within 3 days of hiring them. This packet contains four sections as follows: (1) Immigrants and the Workforce (documenting experience, employer sanctions); (2) Understanding Our Documents (documents needed for work, purposes of documents, the I-9 form, questions and answers); (3) What Is Discrimination (prejudice versus discrimination, situations to investigate, discrimination laws, student research models); and (4) Responding to Discrimination (improper requests for documents, various scenarios related to English or citizenship requirements or showing documents, formal action against employers). Most sections include primary activities, readings, and follow-up activities. Both teacher and student texts are provided, including student worksheet pages and companion teacher pages with exercise answers or teaching suggestions. Appendices provide detailed information on questions related to: documents to be used in filling out the I-9 form, samples of completed I-9 forms, Green Cards, forms for filing charges of discrimination based on national origin or citizenship status (in both English and Spanish) and a list of various Massachusetts resources dealing with employment discrimination and other workplace problems. (Adjunct ERIC Clearinghouse on Literacy Education) (LB)

ED344500

A Curriculum Packet about Immigration-Related

JOB DISCRIMINATION

- ☐ Work Authorization Documents
- ☐ Responding to Discrimination
- ☐ Recognizing Discrimination
- ☐ and more!

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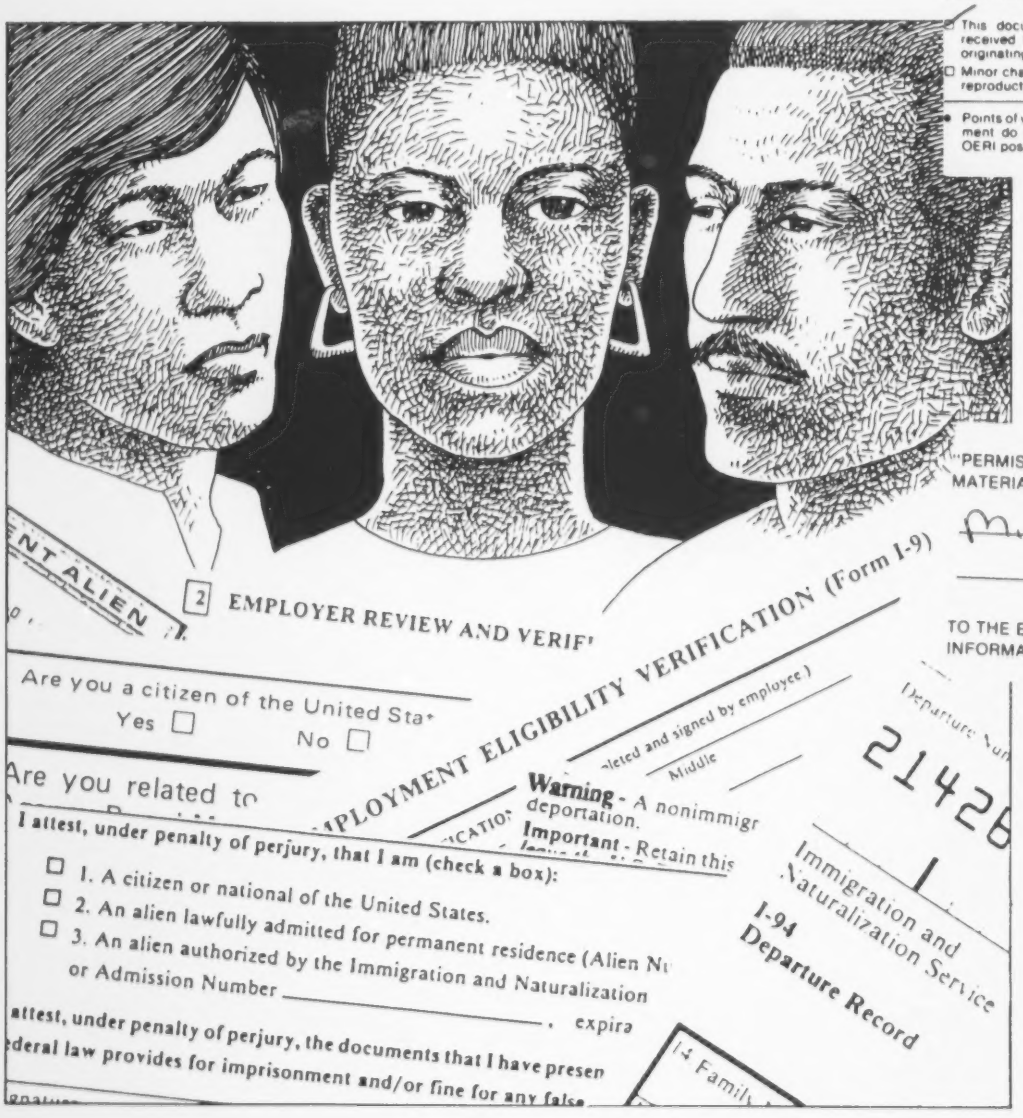
2 EMPLOYER REVIEW AND VERIF
EMPLOYMENT ELIGIBILITY VERIFICATION (Form I-9)
Are you a citizen of the United Sta
Yes ☐ No ☐
Are you related to
Middle
Warning - A nonimmigr
deportation.
Important - Retain this
I attest, under penalty of perjury, that I am (check a box):
1. A citizen or national of the United States.
2. An alien lawfully admitted for permanent residence (Alien N
3. An alien authorized by the Immigration and Naturalization
or Admission Number
attest, under penalty of perjury, the documents that I have presen
ederal law provides for imprisonment and/or fine for any false
Departure Nu
21426
Immigration and Naturalization Service
I-94
Departure Record

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Produced by
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A Curriculum Packet about Immigration-Related JOB DISCRIMINATION

Including Activities about

- ☐ Work Authorization Documents
- ☐ Recognizing Discrimination
- ☐ Responding to Discrimination
- ☐ and more!

Written by Andrea Nash and Peggy Wright

Produced by

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and the Office of Special Counsel

October, 1991

FL 800453

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Introduction to
Immigration Related Employment Discriminaton

This curriculum packet is designed to give ESL teachers the information and tools they need to help students address the issue of job discrimination – especially discrimination based on citizenship status or national origin that may result from the employer verification requirement of the Immigration Reform and Control Act of 1986 (IRCA).

Before 1986, employers could not be penalized for hiring immigrants who were not authorized to work in the US. Only the undocumented immigrants themselves could be penalized if they were caught working. In 1986, the Immigration Reform and Control Act (IRCA) made it illegal for employers to hire undocumented workers. Employers are now required to check the work authorization documents of all workers within three days of hiring them.

In their efforts to comply with the new requirements, many employers are refusing to accept legitimate work authorization documents, or worse, simply refusing to hire any applicants who look or sound foreign. Employers think they are protecting themselves from fines because they are ensuring that they are hiring only authorized workers.

However, employers are breaking other laws when they engage in such practices, and can be fined or forced to pay back wages and compensation. IRCA itself and various Civil Rights and Equal Employment Opportunity laws prohibit discrimination against workers because of their national origin, citizenship status, type of work authorization, or race, color, religion, or ancestry.

Immigrant workers who understand the penalties that employers are afraid of, and who understand the laws that protect them against discriminatory practices, will stand a better chance of protecting themselves against, or challenging illegal discriminatory practices. Ultimately, well-informed job-seekers are more likely to find jobs!

This curriculum packet is designed to introduce students to the various issues surrounding job discrimination against the foreign-born in the United States. It is our hope that by engaging in these exercises, newcomers will be able to share their experience and understanding of discrimination, and to acquire the information and confidence necessary to make informed choices about confronting or challenging discrimination they experience.

Curriculum Design

One of the basic guidelines for teaching adult learners is that new material should build upon what students already know about the world. The ESL adults for whom this curriculum was designed have a great deal of experience with immigration policy, documents, and discrimination - they have observed the roles immigrants play in the workforce; they have formed opinions about whether or not immigrants have a right to complain about problems in the U.S.; and they have developed strategies for coping with immigration problems. By sharing their experiences and perceptions, students are informally "researching" the immigrant experience, gaining a new awareness about their lives and about the larger society.

The purpose of this curriculum is to stimulate discussion of the causes and realities of workplace discrimination while also providing concrete information that can help immigrants address the problem. The organization of the curriculum, therefore, moves readers back and forth between activities that invite thought, reflection, discussion, or creation and exercises that encourage students to absorb specific language and information. While we feel that all of its components are valuable, we also know that no pre-written curriculum can anticipate the myriad directions students may want to explore, and so we encourage teachers to adapt the curriculum to the particular needs and interests of their classes, skipping some pieces, supplementing others. Students can be involved in the picking and choosing of which activities and information would best address their concerns.

Format

The text is divided into four sections.

1) Immigrants and the Workforce: we take a look at immigration policy in order to, first, help newcomers see how they fit into the larger immigration picture and, second, provide a context for understanding the purpose of documents.

2) Understanding Our Documents: we look at the relationship between documents and work authorization - which documents are needed, how to understand the I-9 form, etc.

3) What is Discrimination?: we define discrimination and practice identifying it.

4) Responding to Discrimination: we explore various responses to discrimination, the pros and cons of each option, and the resources available to those who choose to file formal complaints.

We have combined both teacher and student texts into one book. Student worksheet pages, appropriate for xeroxing, are marked (✍) in the upper outside corner of the page. Companion teacher pages include either exercise answers or teaching suggestions. The Appendices contain detailed information which will help teachers answer students' questions if they go beyond the scope of the curriculum.

Section 1: **Immigrants and the Workforce**

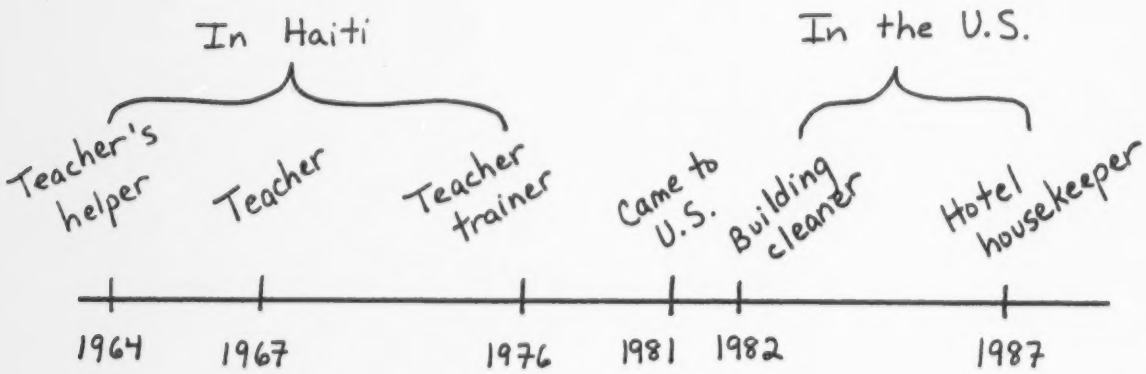
Objectives 1) Examine the role immigrants play in the workforce;
2) Read about the employer sanctions law;
3) Discuss the new role of employers in checking work papers;
4) Develop recommendations about employer sanctions

Documenting our Experiences

The most immediate and concrete evidence we have of the role immigrants play in the economy are our own experiences. By starting from these experiences, we remind students that we can learn the answers to large questions by examining our daily lives.

Activity **Work timeline:**

Ask students to make a timeline of their worklives, starting from the very first job they had in their own countries.



Sharing the timelines can be a fascinating way for students to get to know one another. It also gives people a frame of reference for looking at their own work lives. After everyone has presented his/her timeline, give them time to discuss similarities and differences in their experiences, observe common patterns, etc. It may help them to reflect on what they discover by writing for a few minutes after the discussion.

Follow-up **Writing/Reflection:**

What did you learn by looking at your own work history?
What did you learn about the role of immigrants in the economy by looking at all of your work histories together?

Work timeline:

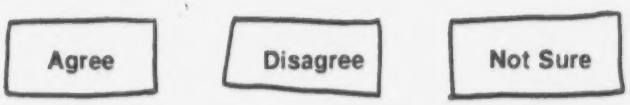
Make a timeline of your work life, starting from the very first job you had in your own country. You can use words, numbers, and pictures.

Writing/Reflection:

What did you learn by looking at your own work history?
What did you learn about the role of immigrants in the economy by looking at all of your work histories together?

Immigrants in the Workforce

Activity **What do you think?**



The purpose of this activity is to encourage people to identify and discuss their beliefs. It prepares us to learn more about discrimination at work by exploring our own attitudes about the role of immigrants in the workforce. The teacher participates, too, taking the same risks in sharing him/herself as the student participants.

To begin, the teacher puts cards labeled "agree," "disagree," and "not sure" in various parts of the room. Then the teacher reads (or writes on the blackboard) a statement from the list below. Everyone moves toward the card that represents his/her response to the statement, literally "taking a stand" as they commit to a position. At least one person representing each position is invited to state his/her opinion, prompting discussion and possible reshuffling as people change their minds or modify their views. Students can add further statements to the list.

1) It's fair to hire only people who speak English.

2) Employers like to hire immigrants.

3) Immigrants take jobs away from native-born Americans.

4) It's fair to give jobs to native-born Americans first.

5) Add your own:

Follow-up **Writing/Reflection:**

Some people have clear opinions about these statements; others feel mixed. It is unlikely that everyone's thoughts will be sorted out by the end of the discussion. It is therefore helpful to give people time to write after the activity. This gives them a chance to clarify their thoughts, pose new questions, express confusion, or whatever else they are left with. Asking people to write for a few quiet minutes about whatever is on their minds should be enough to get them going. More specific instructions run the risk of making this a writing "assignment" rather than a chance to use writing/literacy to ponder new thoughts. After a comfortable amount of time, writers can share their pieces if they wish. Depending on students' level of interest and involvement, the writings can be worked on further or set aside for review later.

For teachers who are more comfortable with more structure, another possibility is to ask people to write down one myth that they heard during the discussion (either one of the trigger sentences or something said during conversation) and to explain why they believe the myth exists. Share writings as above.

Employer Sanctions

Pre-reading **Predicting and formulating questions**

The following reading is about the Immigration Reform and Control Act (IRCA), which mandates fines for employers who do not check the work authorization documents of all new employees. To prepare for the text, here are some suggested pre-reading activities:

1) Ask students what they already know about why employers ask them to show documents when they apply for a job (What is the purpose of employers asking for documents? Why do employers care whether or not they have work documents? What happens to people who do not have documents? What happens to employers who do not check documents?)

2) Write the headline and subhead on the blackboard and discuss. What do they predict this article will talk about?

Asking for Work Papers

A New Role for Employers

3) What questions do they have that they hope the reading will answer? They can write them on page 5.

Asking for Work Papers

A New Role for Employers

A 1986 law makes it illegal for an employer to hire anyone who is not allowed to work in the United States. If an employer breaks this law, he or she can be fined hundreds of dollars. Many employers are afraid of having to pay the fines, so they are very careful to only hire people who are allowed to work. Some employers don't understand the law, and so they don't hire any immigrants, even immigrants who are allowed to work.

Everyone in the United States has a "status" which tells if they are allowed to work. Some people have the status of "citizen." Some people come from another country and are registered with the INS (Immigration and Naturalization Service). They have a status such as "Permanent Resident," "Refugee," or "Temporary Resident." All of these people are allowed to work in the U.S. Some people have the status of "Visitor," or "Student." Usually these people are not allowed to work in the U.S.

Some immigrants are not registered with the INS. They came to the U.S. without permission.These people are called "undocumented immigrants," or "illegal aliens." Undocumented people are not allowed to work in the United States.

There are millions of undocumented people in this country. In 1986, the U.S. Congress decided that it should try to stop undocumented people from coming here. Congress thought that if undocumented people could not get a job, then no more would come to the U.S., and undocumented people already in the U.S. would go home to their countries.

What are your questions about employers and work papers?

_____

_____

_____

_____

_____

_____

_____

_____

New words:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

So Congress passed a law that makes employers ask for work papers from everyone they hire. The employer has to make sure that the person is allowed to work.

If an employer hires someone who is not allowed to work, she or he could be fined, and would have to pay hundreds of dollars to the government. Many employers are very worried about the fine, and so they are very strict about asking new employees for work papers.

Also, some employers don't understand the law. They think that they can only hire citizens, or that they have to see a Green Card from every immigrant. Sometimes, employers decide that they won't hire any immigrants at all. They decide to "play it safe."

What do you think it means to "play it safe?" Can you give an example of a time you "played it safe?"

After five years, many people are saying that the law causes problems for immigrant workers because it often makes employers afraid to hire them. Congress is going to reconsider the law this year, and possible change it.

In this sentence, the word reconsider means:
a) break the law
b) think about something again
c) vote

Follow-up **Checking our predictions:**

After reading and discussing the article, ask students to think back to the predictions they had made. How did their predictions compare to what the article was actually about?

Then ask them to look at the questions they had hoped to have answered by the reading. Were their questions answered? If yes, what did they learn? What new questions do they have after reading the article?

Follow-up **Developing our own recommendations:**

In groups, have students talk about what they think about the new role for employers. Then they can write down their ideas, using the following questions to help them think about the issue:

Who does the law help?

Who does the law hurt?

How does the law change the relationship between employers and workers?

What recommendations would you make to Congress?

Developing our own recommendations:

In groups, talk about the article and what you think about this new role for employers. Then write down your ideas. Here are some questions that may help you think about the issue:

Who does the law help?

Who does the law hurt?

How does the law change the relationship between employers and workers?

What recommendations would you make to Congress?

Section 2: **Understanding Our Documents**

Objectives 1) Discuss the function of work authorization documents;
2) Understand the I-9 form and requirements for employment eligibility;
3) Identify the various documents that satisfy those requirements;
4) Understand worker rights and responsibilities regarding the presentation of documents.

Note: *For undocumented immigrants, there are fears and anxieties that may be triggered when documents are discussed. The supportive sharing of information and experiences can address some of these fears. However, it is important that students not be pressured to reveal their immigration status or to tell stories that would make their status known.*

What Documents Do We Need to Work?

Draw upon the knowledge students already have to begin a dicussion about documents. The following questions may be helpful:

What documents do you need to work in your country?
What documents are you supposed to have to work in the U.S.?

What are Documents For?

Activity **Two Views:**

Ming: My documents prove that I am allowed to work in the U.S. But I am not treated the same as workers who were born here. My documents identify me as an immigrant, and many employers use that as an excuse to discriminate against me.

Gebre: Documents are necessary in many countries. In Ethiopia, immigrants have to carry documents, too. If immigrants to the U.S. didn't have to have documents, then everyone would move here. Then there wouldn't be enough jobs for the rest of us.

Follow-up **Small group work:**
Drawing upon the quotes above, ask students to discuss the purpose of work authorization documents and compile a list of their responses to the question, "Why do immigrants have to have documents?" Then come together to share responses.

What are Documents For?

Two views:

Ming: My documents prove that I am allowed to work in the U.S. But I am not treated the same as workers who were born here. My documents identify me as an immigrant, and many employers use that as an excuse to discriminate against me.

Gebre: Documents are necessary in many countries. In Ethiopia, immigrants have to carry documents, too. If immigrants to the U.S. didn't have to have documents, then everyone would move here. Then there wouldn't be enough jobs for the rest of us.

Small group work:
Use your own ideas to answer the question, "Why do immigrants have to have documents?" Then come together to share responses.

Understanding The I-9 Form

Background information:

The "I-9 form" is the form on which employers record information about each employee's work authorization documents. An employer can be fined for hiring undocumented immigrants ("illegal aliens"). In order to prove that he or she has hired only legal workers, an employer must complete an I-9 form for every employee.

The form itself is confusing, and the information that many employers have is incomplete. Often employers who are afraid of hiring undocumented workers will refuse to hire anyone who looks or sounds foreign, refuse to hire people from certain countries, or refuse to accept certain work authorization documents. All of these actions are illegal and can be punished by fines.

Students with unusual work authorization papers should be prepared to explain their papers to employers, and to show the employers how they meet the requirements of the I-9 form.

Activity **Brainstorming information employers need:**

Ask students to brainstorm a list of the information you have to give to a new employer (name, address, SS#, work authorization documents, etc.). Put the list aside for a moment, while the group looks at Part 1 of the I-9 form.

Activity **Examining the I-9 form (Part 1):**

Show students the top half (Part 1) of the I-9 form (opposite page). Help orient them to the form by asking questions such as: What is it? Who fills it out? How do you know? Ask students to look at the numbered items under Part 1 of the form and guess what they mean.What's the difference between items 2 and 3? Which one means that you have a Green Card? (The answer is #2.) What else might you have?

(Note: See Appendix B for samples of completed I-9 forms, and Appendix C for answers to common questions asked about Green Cards.)

Part I of the I-9 form:

EMPLOYMENT ELIGIBILITY VERIFICATION (Form I-9)

1 **EMPLOYEE INFORMATION AND VERIFICATION:** (To be completed and signed by employee.)

Name: (Print or Type) Last	First	Middle	Birth Name
Address: Street Name and Number	City	State	ZIP Code
Date of Birth (Month/Day/Year)		Social Security Number	

I attest, under penalty of perjury, that I am (check a box):

- ☐ 1. A citizen or national of the United States.
- ☐ 2. An alien lawfully admitted for permanent residence (Alien Number A _____).
- ☐ 3. An alien authorized by the Immigration and Naturalization Service to work in the United States (Alien Number A _____, or Admission Number _____, expiration of employment authorization, if any _____).

I attest, under penalty of perjury, the documents that I have presented as evidence of identity and employment eligibility are genuine and relate to me. I am aware that federal law provides for imprisonment and/or fine for any false statements or use of false documents in connection with this certificate.

Signature	Date (Month/Day/Year)

PREPARER/TRANSLATOR CERTIFICATION (To be completed if prepared by person other than the employee). I attest, under penalty of perjury, that the above was prepared by me at the request of the named individual and is based on all information of which I have any knowledge.

Signature	Name (Print or Type)		
Address (Street Name and Number)	City	State	Zip Code

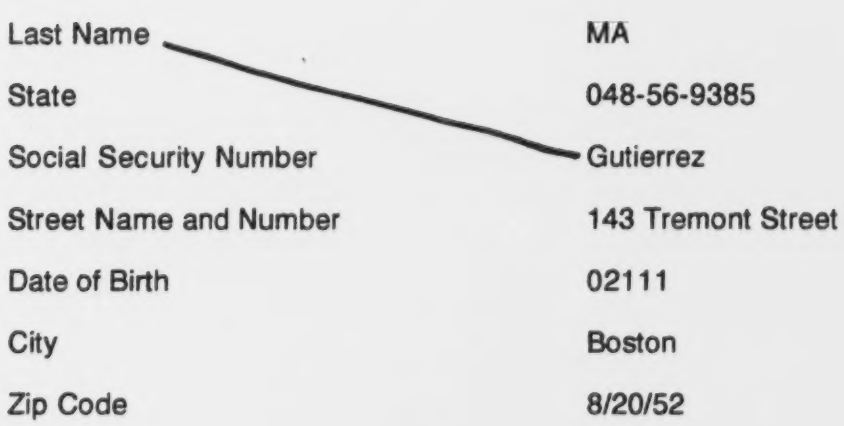
Follow-up **Return to the brainstorm:**

Go back to the list of information that the class brainstormed and have students find the items on their list that can be found in part 1 of the form.

Vocabulary matching (lower levels):

Students can prepare for this task by matching vocabulary cards with the vocabulary on the form, and by matching vocabulary with personal information (as below). When they get to filling out the form, a sample of a filled-in form would help students figure out where to write their own information.

Example:



Filling out Part 1 (upper levels):

Upper levels can fill in the top box using their own personal information or that of a class-created fictional character.

Matching:

These are words you will find on the I-9 form, and on many other applications. Match the vocabulary in the left column with the information in the right colum. You can look at the filled-in form on page 16 to help you. The first item is done for you.

Last Name	MA
State	048-56-9385
Social Security Number	Gutierrez
Street Name and Number	143 Tremont Street
Date of Birth	02111
City	Boston
Zip Code	8/20/52

Sample filled-in form:

EMPLOYMENT ELIGIBILITY VERIFICATION (Form I-9)

1 EMPLOYEE INFORMATION AND VERIFICATION: (To be completed and signed by employee.)

Name: (Print or Type) Last	First	Middle	Birth Name
Gutierrez	Myrna	Elena	Ruiz
Address: Street Name and Number	**City**	**State**	**ZIP Code**
143 Tremont St	Boston	Ma	02111
Date of Birth (Month/Day/Year)		**Social Security Number**	
8/20/52		048-56-9385	

I attest, under penalty of perjury, that I am (check a box):

- ☐ 1. A citizen or national of the United States.
- ☐ 2. An alien lawfully admitted for permanent residence (Alien Number A _____).
- ☐ 3. An alien authorized by the Immigration and Naturalization Service to work in the United States (Alien Number A _____. or Admission Number _____, expiration of employment authorization, if any _____).

I attest, under penalty of perjury, the documents that I have presented as evidence of identity and employment eligibility are genuine and relate to me. I am aware that federal law provides for imprisonment and/or fine for any false statements or use of false documents in connection with this certificate.

Signature	Date (Month/Day/Year)
Myrna E. Gutierrez	7/9/91

PREPARER/TRANSLATOR CERTIFICATION (To be completed if prepared by person other than the employee). I attest, under penalty of perjury, that the above was prepared by me at the request of the named individual and is based on all information of which I have any knowledge.

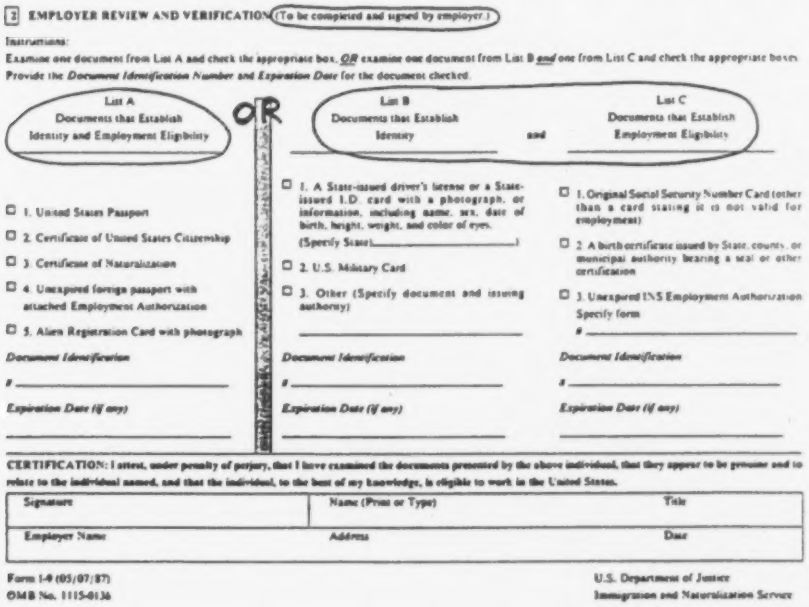
Signature	Name (Print or Type)		
Address (Street Name and Number)	City	State	Zip Code

Activity **Examining the I-9 form (Part 2):**

In pairs, ask students to brainstorm all of the documents that they have (license, birth certificate, etc.) and write the name of each document on an index card. Then have them look at the bottom half of the I-9 form. In groups, ask them to match the documents on their index cards with those listed on the form, grouping their cards by list A, B, or C. Since these lists can be confusing, it may be wise to ignore the documents that are not directly relevant to your students.

Next, read the instructions on the top of the form that explain what employers need to see. Ask students to name various combinations of their documents that would be acceptable to complete the I-9 form. *(See Appendix A for a complete list of acceptable documents.)*

Reminder: *It is important that we do not inadvertently pressure students to reveal their immigration status if they do not feel comfortable doing so. This activity is designed to be done in groups so that no individual student has to reveal his/her lack of documents.*



2 EMPLOYER REVIEW AND VERIFICATION (To be completed and signed by employer.)

Instructions:
Examine one document from List A and check the appropriate box, *OR* examine one document from List B *and* one from List C and check the appropriate boxes. Provide the *Document Identification Number* and *Expiration Date* for the document checked.

List A — Documents that Establish Identity and Employment Eligibility

OR

List B — Documents that Establish Identity

and

List C — Documents that Establish Employment Eligibility

- ☐ 1. United States Passport
- ☐ 2. Certificate of United States Citizenship
- ☐ 3. Certificate of Naturalization
- ☐ 4. Unexpired foreign passport with attached Employment Authorization
- ☐ 5. Alien Registration Card with photograph

Document Identification
_____
Expiration Date (if any)
_____

- ☐ 1. A State-issued driver's license or a State-issued I.D. card with a photograph, or information, including name, sex, date of birth, height, weight, and color of eyes. (Specify State: _____)
- ☐ 2. U.S. Military Card
- ☐ 3. Other (Specify document and issuing authority)

_____

Document Identification
_____
Expiration Date (if any)
_____

- ☐ 1. Original Social Security Number Card (other than a card stating it is not valid for employment)
- ☐ 2. A birth certificate issued by State, county, or municipal authority bearing a seal or other certification
- ☐ 3. Unexpired INS Employment Authorization Specify form
_____

Document Identification
_____
Expiration Date (if any)
_____

CERTIFICATION: I attest, under penalty of perjury, that I have examined the documents presented by the above individual, that they appear to be genuine and to relate to the individual named, and that the individual, to the best of my knowledge, is eligible to work in the United States.

Signature	Name (Print or Type)	Title
Employer Name	Address	Date

Form I-9 (05/07/87)
OMB No. 1115-0136

U.S. Department of Justice
Immigration and Naturalization Service

Follow-up **Roleplay (all levels):**
With sample documents, have students roleplay presenting the necessary documents to a potential employer. Two students can model this first, with the help of the entire group. Orally in pairs they can practice explaining why they have the documents they do (i.e. why they have a license and S.S. card instead of a green card).

Filling out Part 2 (upper levels):
Give out sample documents to students in small groups. They must figure out: what the documents are, which could be used, which list each belongs to, and in what combinations they could be used. Then ask students to practice presenting documents as above.

Part 2 of the I-9 form:

2 EMPLOYER REVIEW AND VERIFICATION: (To be completed and signed by employer.)

Instructions:
Examine one document from List A and check the appropriate box, ***OR*** examine one document from List B ***and*** one from List C and check the appropriate boxes. Provide the ***Document Identification Number*** and ***Expiration Date*** for the document checked.

List A Documents that Establish Identity and Employment Eligibility		List B Documents that Establish Identity	and	List C Documents that Establish Employment Eligibility
☐ 1. United States Passport		☐ 1. A State-issued driver's license or a State-issued I.D. card with a photograph, or information, including name, sex, date of birth, height, weight, and color of eyes. (Specify State)_____)		☐ 1. Original Social Security Number Card (other than a card stating it is not valid for employment)
☐ 2. Certificate of United States Citizenship		☐ 2. U.S. Military Card		☐ 2. A birth certificate issued by State, county, or municipal authority bearing a seal or other certification
☐ 3. Certificate of Naturalization		☐ 3. Other (Specify document and issuing authority)		☐ 3. Unexpired INS Employment Authorization Specify form #
☐ 4. Unexpired foreign passport with attached Employment Authorization				
☐ 5. Alien Registration Card with photograph				
Document Identification #		***Document Identification*** #		***Document Identification*** #
Expiration Date (if any)		***Expiration Date (if any)***		***Expiration Date (if any)***

CERTIFICATION: I attest, under penalty of perjury, that I have examined the documents presented by the above individual, that they appear to be genuine and to relate to the individual named, and that the individual, to the best of my knowledge, is eligible to work in the United States.

Signature	Name (Print or Type)	Title
Employer Name	Address	Date

Form I-9 (05/07/87)
OMB No. 1115-0136

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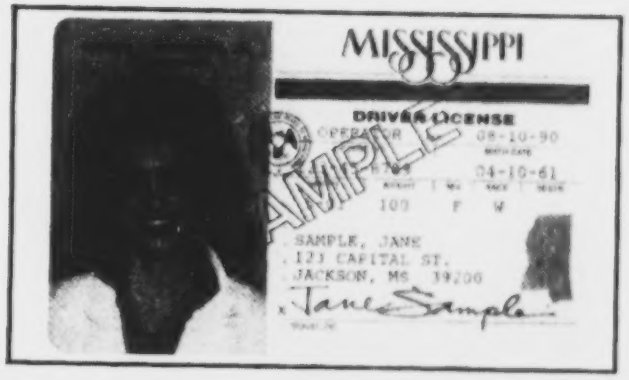

Driver's License

Social Security Card

Resident Alien Card
"Green Card"

Employment Authorization Document

BEST COPY AVAILABLE

Questions and Answers about Documents

Reading **Common Questions and Answers:**

Q. *I have immigration papers that authorize me to work, but some employers won't accept them because they are not a green card. Is that legal?*

A. No. There are many kinds of documents that authorize people to work. Some of these documents are very common and some are rare. Employers must accept any of the documents on the I-9 list, even if they don't recognize them. An employer can only refuse a document if she thinks that it is a fake.

Q. *I was born in the United States. Do I have to show work authorization papers when I apply for a job?*

A. Yes. Everyone must show work authorization papers.

Q. *My husband worked for one company for nine years. Then the boss found out that he didn't have work documents and fired him. Is that the law?*

A. Yes. An employer is required to fire a worker if the employer finds out that the worker is undocumented.

Follow-up **What Do You Think?:**

Ask student to use what they have learned so far, and their own knowledge, to decide whether the following statements are true or false.

_F_ Immigrants have to show a green card when they apply for a job.

_T_ U.S. citizens have to show work authorization papers when they apply for a job.

_T_ An employer must fire employees who don't have work documents.

_F_ If the employer doesn't recognize your documents, he or she can ask you to show a different document.

Questions and Answers about Documents

Common Questions and Answers:

Q. *I have immigration papers that authorize me to work, but some employers won't accept them because they are not a green card. Is that legal?*

A. No. There are many kinds of documents that authorize people to work. Some of these documents are very common and some are rare. Employers must accept any of the documents on the I-9 list, even if they don't recognize them. An employer can only refuse a document if she thinks that it is a fake.

Q. *I was born in the United States. Do I have to show work authorization papers when I apply for a job?*

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A. Yes. An employer is required to fire a worker if the employer finds out that the worker is undocumented.

What Do You Think?:

Use what you have learned so far, and your own knowledge, to decide whether the following statements are true or false.

___ Immigrants have to show a green card when they apply for a job.

___ U.S. citizens have to show work authorization papers when they apply for a job.

___ An employer must fire employees who don't have work documents.

___ If the employer doesn't recognize your documents, he or she can ask you to show a different document.

Vocabulary Practice:

Look for the following list of words on the I-9 form and discuss what you think they mean. Then make sentences by matching the first half from column A with the second part from column B.

authorization identification eligibility expiration identity fake

A	B
I had to get authorization from my landlord	I lost all of my identification.
It was not easy to meet the eligibility	and create a new identity .
When I dropped my wallet,	before I could let Mary move in.
I rushed to renew my license	before the expiration date in January.
The employer thought that	requirements for public housing.
When I first came here, I was undocumented. I had to change my name	my documents were fake.

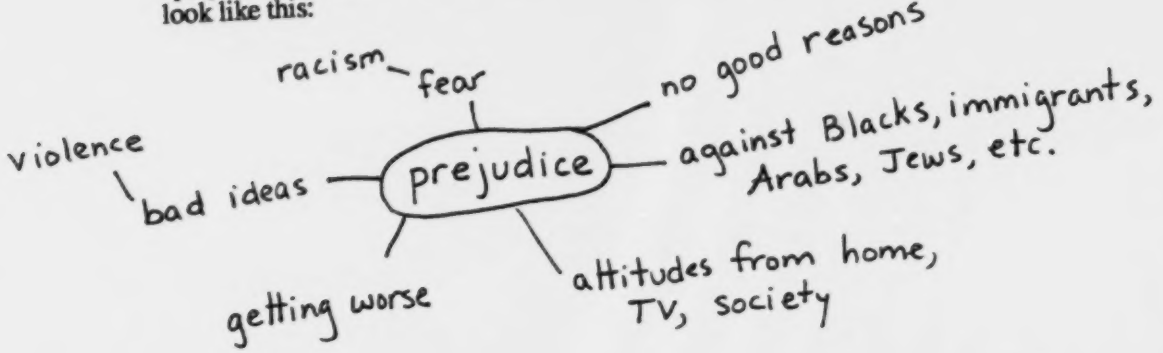
Section 3: What is Discrimination?

Objectives 1) Understand the difference between prejudice and discrimination, as it is legally defined;
2) Reflect on own experiences of prejudice and discrimination; and
3) Research our own workplaces.

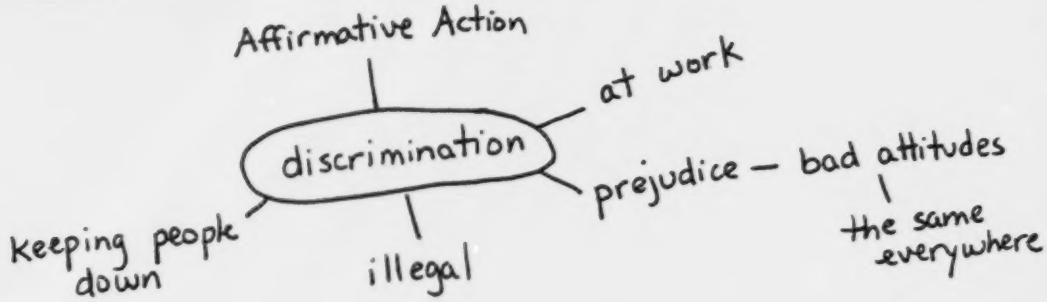
Prejudice vs. Discrimination

Activity **Word maps:**

"Key words" are a way to help students brainstorm their thoughts, feelings, and experiences about something. We are using this activity to invite people to share their experiences of unfair treatment, and to understand the difference between prejudice and discrimination. To begin, write the word "prejudice" on the blackboard and ask students to offer their reactions. It may look like this:



Then do the same using the word "discrimination," understanding that the maps may overlap quite a bit. Their understanding of what discrimination is may not be correct, but that is for them to discover as they read about and discuss discrimination.



Discussion questions:
"How are the two the same? Different? (Prejudice refers to preconceived negative beliefs, attitudes, or feelings. Discrimination refers to actions or behaviors that may be based on prejudice. Discrimination is illegal in many cases, but prejudice is not.)

Follow-up **Telling our stories (all levels):**

In small groups, give students the opportunity to talk about their experiences with prejudice and discrimination. Which one was it? Why did it happen? As they report back to the larger group, the teacher lists experiences (briefly) on newsprint. This group list will be returned to later. (See page 29).

Writing our stories (upper levels):

Invite students to use the vocabulary generated in the brainstorm to write about an experience of prejudice or discrimination that they know of. Similarly, which was it? Why did it happen? Volunteers can share their writings with the group as the teacher writes on newsprint as above.

Situations to Investigate

Activity **"Help Wanted" scenario:**

What's happening in the picture? Here is an example of a situation which may or may not be discriminatory, depending on why there are "no jobs today" (perhaps discrimination, perhaps the position was just filled, etc.) Students can explore various possible explanations for the applicant's rejection and discuss the kind of evidence they would need to prove discrimination.

Follow-up **Writing/Roleplays:**

Ask students to write about one of the following questions and then share their writings. Afterwards, or later during the "Responding to Discrimination" section, the group can use this scenario to roleplay both their fantasy responses and practical responses to this situation.

What is the receptionist thinking?

What is the applicant thinking?

Help Wanted:

What's happening in the picture?

Writing/Roleplays:

Write about one of the following two questions:

What is the receptionist thinking? What is the applicant thinking?

Activity **Is it discrimination?**

Discrimination, when it is used in the law, has a precise definition. Although many employers have prejudices and may treat people unfairly, they are not always guilty of breaking the law. Use the following list to see if students can guess which items illustrate discrimination. When they are finished, they can discuss their answers. An explanation of the correct answers is attached for the teacher.

1) D An employer fires a hotel maid because she talked to her co-worker in Creole.

2) D An employer only hires immigrant employees who have a green card.

3) ___ The boss requires a written English test for all secretaries.

4) ___ A job ad says "fluent English required."

5) D The boss requires you to speak fluent English in order to get a promotion, even though English is not necessary for the job.

6) D The owner of a restaurant hires only Dominicans as dishwashers and only Chinese as waiters.

7) ___ Your Puerto Rican friend keeps applying for a job with the same company and never gets hired.

Is it discrimination? Answers

1. An employer fires a hotel maid because she talked to her co-worker in Creole.
This is national origin discrimination. Employers may never regulate employees' language use on their breaks, lunch times, or off the job time. Employers may require employees to speak only English on the job only if it is legitimately job related and it is a policy set when the employee is hired. For example, a store manager may require sales-people to speak only English to customers if it is defined as a rule at the beginning.

2. An employer only hires immigrant employees who have a Green Card.
This is citizenship status discrimination. The Immigration and Naturalization Service (INS) has many different documents which prove that a foreign-born person is authorized to work in the United States. The "Green Card" is only one of them. A Social Security Card may be used to prove authorization to work in the US. An employer may not prefer one form of documentation over another, or prefer one immigration status over another. To do so is discrimination.

3. The boss requires a written English test for all secretaries.
Good English is essential for secretarial jobs, therefore, it is not discrimination to give a written English test. However, if the test is only given to foreign-born applicants, it is discrimination. The same test must be used for *both* native-born and foreign-born applicants.

4. A job ad says "fluent English required."
It depends – if the job legitimately requires fluency (ie, answering telephones, answering public inquiries, salesclerk, etc.) then "fluent English required" is not discrimination, and is, in fact, required to be stated in the job announcement. If the job requires only limited English, or a good understanding of English, (ie, understanding instructions, and warning signs, explaining problems or questions) then a fluency requirement is discriminatory.

5. The boss requires you to speak fluent English in order to get a promotion, even though English is not necessary for the job.
This is discrimination, because reqirements for promotion *must* be directly related to the job.

6. The owner of a restaurant hires only Dominicans as dishwashers and only Chinese as waiters. This is national origin discrimination.

7. Your Puerto Rican friend keeps applying for a job with the same company and never gets hired.
It may be discrimination, and it may not. For example, if Latinos of various nationalities, including Puerto Rican, work at the company, your friend will have a hard time proving national origin discrimination. However, if your friend believes she was not hired because of discrimination, she should talk to an advocate or a lawyer, and maybe file a complaint.

Is it discrimination?

Discrimination is against the law. Although many employers have prejudices and may treat people unfairly, they are not always guilty of breaking the law. Use the following list to see if you can guess which situations are examples of discrimination.

1) ___ An employer fires a hotel maid because she talked to her co-worker in Creole.

2) ___ An employer only hires immigrant employees who have a green card.

3) ___ The boss requires a written English test for all secretaries.

4) ___ A job ad says "fluent English required."

5) ___ The boss requires you to speak fluent English in order to get a promotion, even though English is not necessary for the job.

6) ___ The owner of a restaurant hires only Dominicans as dishwashers and only Chinese as waiters.

7) ___ Your Puerto Rican friend keeps applying for a job with the same company and never gets hired.

Follow-up **Examining our own experiences:**

Read the following text as a group. Ask students to use the information in it to check their answers above. Discuss any ambiguities.Then have the group look back at the list of experiences that had been put on newsprint during the first activity. The class can try to determine which of their experiences were examples of illegal discrimination, and which were not.

Discrimination Laws

Reading **Discrimination Laws:**

Job discrimination means that an employer treats you differently from other people for unfair reasons. The reasons are unfair if they do not have to do with your qualifications for the job. Here are some examples: 1) an employer does not hire anyone who looks or sounds foreign, 2) an employer gives Vietnamese low-paying jobs and refuses to promote them, 3) a supervisor refuses to hire anyone who doesn't have a green card, or 4) a boss fires a Russian person because she spoke to a co-worker in Russian. All of these are examples of discrimination and all of them are against the law.

Sometimes, you might think something is discrimination, but it is not. For example, a hotel can require "fluent English" for all receptionist jobs. Why? Because speaking to people in English is a necessary part of that job. English is an important qualification for the job.

Follow-up **Applying what we know:**

One effective way to help students apply their understanding of discrimination is to encourage them to think about how they can use discrimination laws, or how they think those laws should be changed or improved. After evaluating whether or not their own experiences were examples of discrimination, they can think about the following questions to help them write:

How can discrimination laws help you?

Is there any way you would change the laws? How?

How would you enforce your law?

Discrimination Laws:

Job discrimination means that an employer treats you differently from other people for unfair reasons. The reasons are unfair if they do not have to do with your qualifications for the job. Here are some examples: 1) an employer does not hire anyone who looks or sounds foreign, 2) an employer gives Vietnamese low-paying jobs and refuses to promote them, 3) a supervisor refuses to hire anyone who doesn't have a green card, or 4) a boss fires a Russian person because she spoke to a co-worker in Russian. All of these are examples of discrimination and all of them are against the law.

Sometimes, you might think something is discrimination, but it is not. For example, a hotel can require "fluent English" for all receptionist jobs. Why? Because speaking to people in English is a necessary part of that job. English is an important qualification for the job.

Applying what we know:

In groups, talk about ways discrimination laws have or have not helped you. Then write down your ideas. Here are some questions that may help you think about the issue:

How can discrimination laws help you?

Is there any way you would change the laws? How?

How would you enforce your law?

Student Research Models

Research projects that grow out of students' own questions can be powerful learning tools. Via their investigations, students practice language and reasoning as they pose questions, gather information, analyze evidence, and draw conclusions.

Situations that lend themselves easily to research are those where people's experiences don't match with what they expect to be true (see below for examples). In these cases, the teacher can facilitate a preliminary discussion about people's experiences and perceptions and then ask, "What more would you like to know about this subject/situation?" This query will draw out the questions and perplexities that remain - questions that can form the basis for a research project. The examples below are investigations that could emerge from learner questions about workplace discrimination. (Participants who are unemployed could investigate the experiences of their friends and family, or document their encounters with discrimination as they look for new jobs.) This is only a sample of what could be researched. It's best, always, to encourage students to identify and research their own questions.

Researching your community (all levels):

One way to learn about document discrimination is to investigate who gets asked to show their documents. Students can begin to chart this information by interviewing immigrants and non-immigrants, gathering data about their experiences. In preparation, students can work together to figure out who they will interview, practice roleplaying their interviews, and predict the research results.

	Yes, I was asked for documents	No, I wasn't asked for documents
Immigrants		
Non-immigrants		

Discussion questions:

Was everyone you interviewed asked for documents?

Who was? Who wasn't?

What questions does this information answer for you?

What new questions do you have?

Researching your community

Employers are supposed to ask everyone to show work authorization documents to new employers, even if they were born in the United States. Are employers really asking everyone? To find out, you can ask working people about their experiences. First you need to figure out a couple of things: Who are you going to ask? What will you say?

You can use the chart below to record the information you collect.

	Yes, I was asked for documents	No, I wasn't asked for documents
Immigrants		
Non-immigrants		

Discussion questions:

Was everyone you interviewed asked for documents?

Who was? Who wasn't?

What questions does this information answer for you?

What new questions do you have?

Who follows the rules? (upper levels):

The law makes clear what employers may and may not do. But it is not clear that employers are actually made to comply with the law. Students who are wondering about their own workplaces can do the following ethnographic research to gather evidence and form their own opinions. You can expand the activity for advanced students by asking them to interview other immigrants about their experiences and add that data to the list.

The law says:	Our experience is:
The employer cannot refuse to promote someone because he or she looks foreign.	
The employer cannot require employees to speak English at all times.	
The employer cannot require an employee to show a green card if they have other documents that satisfy the eligibility requirements (such as a license and social security card).	
Your example:	

Discussion questions:

Compare the two sides of the chart. How are they the same? Different?
What questions does this information answer for you?
What new questions do you have now?
Why don't employers comply with the law?
What do you think would make employers comply?
How can you get answers to your questions?

Who follows the rules?

The law says:	Our experience is:
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The employer cannot require employees to speak English at all times.	
The employer cannot require an employee to show a green card if they have other documents that satisfy the eligibility requirements (such as a license and social security card).	
Your example:	

Discussion questions:

Compare the two sides of the chart. How are they the same? Different?
What questions does this information answer for you?
What new questions do you have now?
Why don't employers comply with the law?
What do you think would make employers comply?
How can you get answers to your questions?

Vocabulary practice I:

Here is a list of words that are often used when we talk about discrimination. Circle the ones that you know. Then try to fill in the blanks with the words on the list.

complaint document discrimination prejudice benefits promote

1. The boss promised to _____ me because I am always on time.

2. Laying off only Latino employees is an act of _____.

3. An official _____ should be kept with other important papers.

4. My new job gives me _____ such as holidays, sick days, and overtime pay.

5. After the police abused my neighbor, he filed a _____.

6. John showed his _____ when he refused to serve the black customer.

After comparing the answers with each other, look back at the circled words. Can you guess what they mean now?

Vocabulary practice II:

Choose from the following list of words to complete the story.

file fired fine hire laid off allowed authorized

A year ago, I applied for a job as a nurse's aide. The boss said, "I don't like to _____ foreigners." I told him that I was "legal." I told him that I was _____ to work in this country. He said, "Okay, I'll hire you."

Everything was okay for a few months. But then it was time for my first raise. He said, "When you speak English better, I'll give you a raise." I said, "Oh no. You are not _____ to do that. You have to give me the same as everyone else." He said, "No. You're _____." I said, "I will _____ a discrimination complaint. Then maybe you will have to pay a _____." He said, "Okay, forget it. I'll give you the raise." A month later, he told me that there wasn't enough work for everybody. He said, "Sorry, but you're _____."

Section 4: **Responding to Discrimination**

Objectives 1) Practice identifying improper requests for documents;
2) Analyze effective ways of responding to these situations;
3) Understand options and procedures for filing a complaint.

Background information:

Employers cannot discriminate against an applicant by asking for particular documents and not accepting other documents. There are many other things that an employer is not supposed to ask, such as one's religion, childbearing plans, or national origin. This is because the employer is not supposed to screen out applicants before giving them a chance to prove themselves. For example, even if a person's religious obligations are bound to conflict with his or her work schedule, the employer must deal with it when it happens, not screen out that applicant based on religion. Similarly, an employer is not supposed to use questions about child care to screen out mothers of young children.

Responding to Improper Requests for Documents:

Activity **Group roleplays:**

Below are three dialogues that focus on improper requests for documents. They begin similarly, but their outcomes are different. The following activity can help students analyze the success or failure of each interaction.

Divide the class into three groups. Each group will get one of the dialogues, cut into strips. Their first task is to order their strips into a conversation that make sense. Then they can practice and present their dialogues to the rest of the class. The class can compare the three situations, using the following questions as a guide. Based on the discussion, make a class list of guidelines for successful interactions.

Follow-up **Discussion/Reflection:**

Who are Pierre, Ramon, and Katrina? Where are they? What are they doing?
What do the employers want? Why?
How were the applicants' responses different?
Which applicants do you think got a job? Why do you think they were successful?
Why do immigrants have this problem with employers?
What can they do about it?
Based on this discussion, make a class list of guidelines for successful interactions.

For lower level classes, where these dialogues might be too difficult, students can instead read the first three lines of dialogue #3 and create their own endings, dictating to the teacher, who writes it down as a Language Experience Approach text. Then students can act out the scene, reorder the cut-apart dialogue, etc.

Dialogue #1:

Employer: Pierre, you seem to be qualified for this job. Before I hire you, I need to see your work documents. What do you have?

Pierre: I brought my driver's license and Social Security card.

Employer: I need to see a green card, or at least something from Immigration, just to be safe.

Pierre: That's not true. These papers are all I need. Why don't you look on the list?

Employer: I know what's on the list and I want to see immigration papers or I can't hire you.

Pierre: It's illegal to require immigration papers. You are trying to discriminate against me.

Employer: This interview is over.

Dialogue #2:

Employer: I'd like to give you the job, Ramon. Let's do the paperwork. Do you have your immigration papers?

Ramon: I have my license and Social Security card. That's all I need, according to the I-9 form.

Employer: I'd like to see some immigration papers. I don't want to get fined for hiring undocumented workers.

Ramon: I understand that you need to be careful, but these documents satisfy the requirements. Let me show you on the list.

Employer: Okay, but I'm going to call Immigration just to check if you're right.

Dialogue #3:

Employer: You're hired, Katrina. I just need to see your papers.

Katrina: Here's my license and Social Security card.

Employer: Oh, I'm sorry. I need to see real immigration documents. I don't want any trouble with the INS.

Katrina: I'm sure that these documents are all I need. My last employer told me that they were fine.

Employer: Well, I need more. Come back when you've got something else.

Katrina: Okay.

Scenarios

Based on the issues that are relevant to your particular group of students, choose among the four following activities to give students practice in responding to discrimination. See Appendix D for legal information about each of these situations.

#1 English at work / #2 Hiring citizens only:

In groups, students can write or roleplay their own dialogues about these themes. Lower levels can tape record their dialogues for transcription at a later time. You can make the activity more difficult for the upper levels by specifying whether their dialogues should end successfully or unsuccessfully for the employee (or ask them for one of each!). Allow time for class discussion of each scenario.

#3 Puerto Ricans are citizens:

Students can also strategize their responses to employers by writing letters of advice. This scenario, about Puerto Rican woman who is asked for immigration papers, is a letter to Ann Landers. Students can write back their suggestions.

#4 Everyone needs documents:

This scenario is illustrated in a picture story. It is about an employer who selectively checks the documents of foreign-appearing applicants only. As the story begins, three "new hires" are going through their driving tests, eye exams, and uniform fittings. But only Juan Romero is summoned to show his work eligibiligy documents.

Picture stories are effective materials for students of any level. Students can dictate the story as an LEA, or the story can be cut apart to be put together by small groups. Once assembled, text can be written for each picture. Students can continue the story by writing or roleplaying the dialogue that would occur in the last picture.

#1: English at Work

Jose works in the kitchen of a big restaurant. All the kitchen help is from El Salvador.

Employer: I want you to speak only English when you're at work.

Jose: _____

Etc.: _____

_____

_____

_____

_____

_____

_____

#2: Hiring citizens only

Fatima is applying for a job in an insurance company as a receptionist. She is a permanent resident of the U.S.

Employer: We prefer to hire U.S. citizens to work for us. There are so many Americans who need work, we want to give them the jobs we have.

Fatima: _____

Etc.: _____

_____

_____

_____

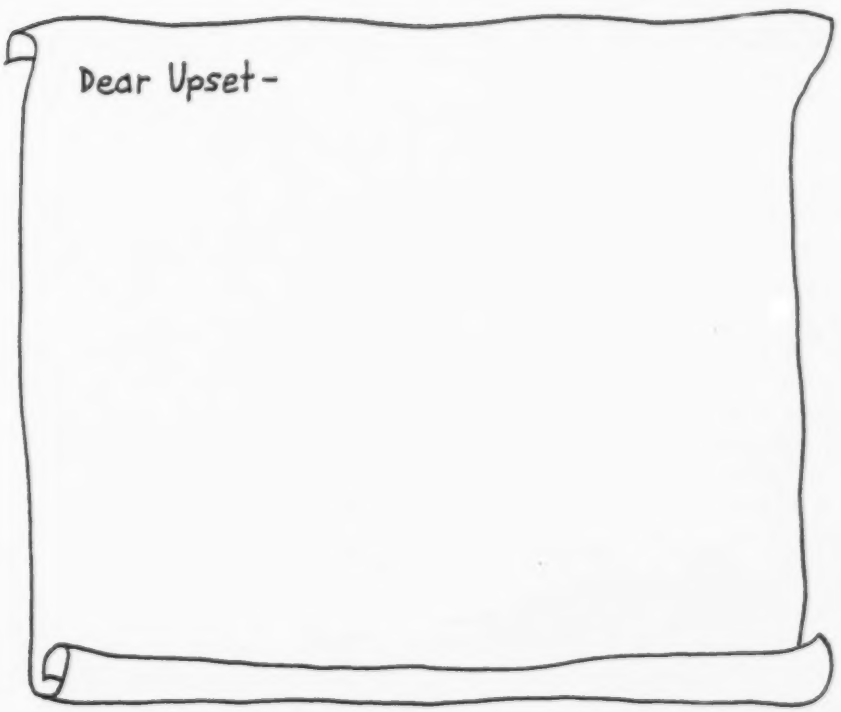
_____

#3: Puerto Ricans are Citizens

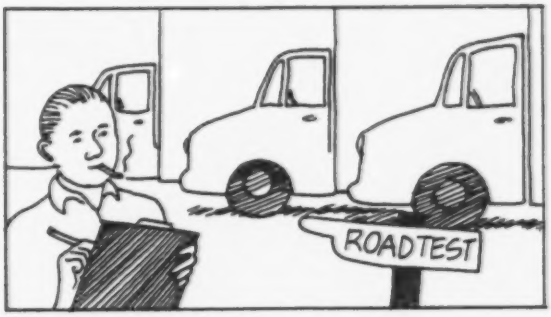
Dear Ann Landers,

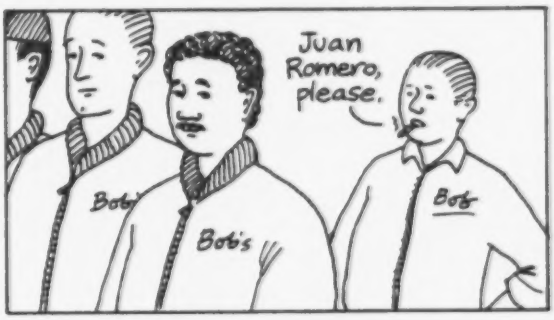
I am a Puerto Rican lady of 45 years. I speak English, although with an accent. When I tried to get a job, the man said, "Where are your immigration papers?" I tried to explain that I am already a citizen and showed him my driver's license and birth certificate. But still he told me to go away. How can I explain to him what is true? I need to work.

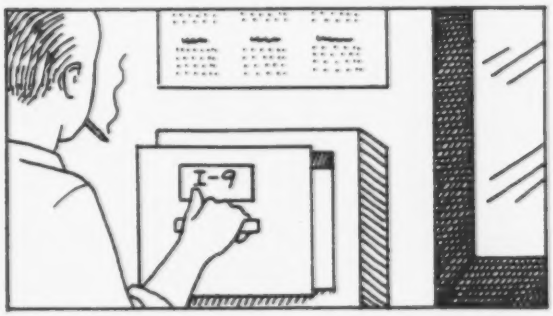
Upset in N.Y.



#4: Showing Documents:







Further Options: Formal Action Against Employers

Background information:

Most people are reluctant to take formal (legal) action against employers who discriminate. It is important to note that job discrimination against native-born Americans on the basis of race, sex, age, religion, etc., takes place every day. The percentage of these events that result in complaints being filed is miniscule. Most people are afraid to file discrimination complaints - afraid of retaliation (although such retaliation is illegal); afraid of legal expenses (although complaints can be filed without a lawyer, or paying any money); and afraid of being labeled a "troublemaker" or "malcontent." For immigrants, there are the additional fears of bringing attention to themselves and their families, thereby risking deportation; and the fear of appearing "ungrateful," "greedy," and more.

The following exercises are designed to get students to name real and/or imagined barriers to asserting their rights, identify potential resources for help in overcoming those barriers, and strategize about how they will respond to discrimination.

(Appendix E contains blank complaint forms in English and Spanish.)

Activity **Deciding whether or not to file:**

Ask students to brainstorm lists of the reasons a person would or would not want to file a complaint. What are the costs? The benefits? What would make it easier to file a complaint?

Reasons to file	Reasons not to file

Deciding whether or not to file:

What are some reasons a person would want to file a discrimination complaint ?
What are some reasons a person would not want to file a complaint?

Reasons to file	Reasons not to file

What would make it easier to file a complaint?

Activity **Who would you go to for help?**

Ask students to fill out this chart to both acknowledge the resources they already have and to identify ways they could use more support. Allow time for people to share ideas and resources. The activity is followed by a list of agencies that can counsel people with discrimination cases. *(See Appendix F for further labor-related resources.)*

If you had been discriminated against, who would you go to for help?

	Yes	No	How can this person help you?
A friend			
The boss			
A lawyer			
Someone at church			
Community agency			
Co-worker			
Family member			
Social worker			
The union			
Other:			

Who would you go to for help?

If you had been discriminated against, who would you go to for help?

	Yes	No	How can this person help you?
A friend	___	___	_____
The boss	___	___	_____
A lawyer	___	___	_____
Someone at church	___	___	_____
Community agency	___	___	_____
Co-worker	___	___	_____
Family member	___	___	_____
Social worker	___	___	_____
The union	___	___	_____
Other:	___	___	_____

Where to File a Complaint

There are three agencies that can help you with employment discrimination.

The best thing to do is call the agency and tell them about the problem. They will help you decide what to do next. If you need to call a different agency, they will help you figure out who to call.

The Office of Special Counsel (OSC) can help if you were discriminated against because fo your documents, or your immigration status.

Office of Special Counsel
PO Box 65490
Washington, DC 20035-5490

1-800-255-7688
TDD 1-800-237-2515

The Massachusetts Commission Against Discrimination (MCAD) can help you with most types of discrimination if the employer has six or more employees.

617-727-3990
1 Ashburton Place, 6th floor
Boston, MA 02108

Worcester (508) 752-2272
Springfield (413) 739-2145
New Bedford (508) 997-3191

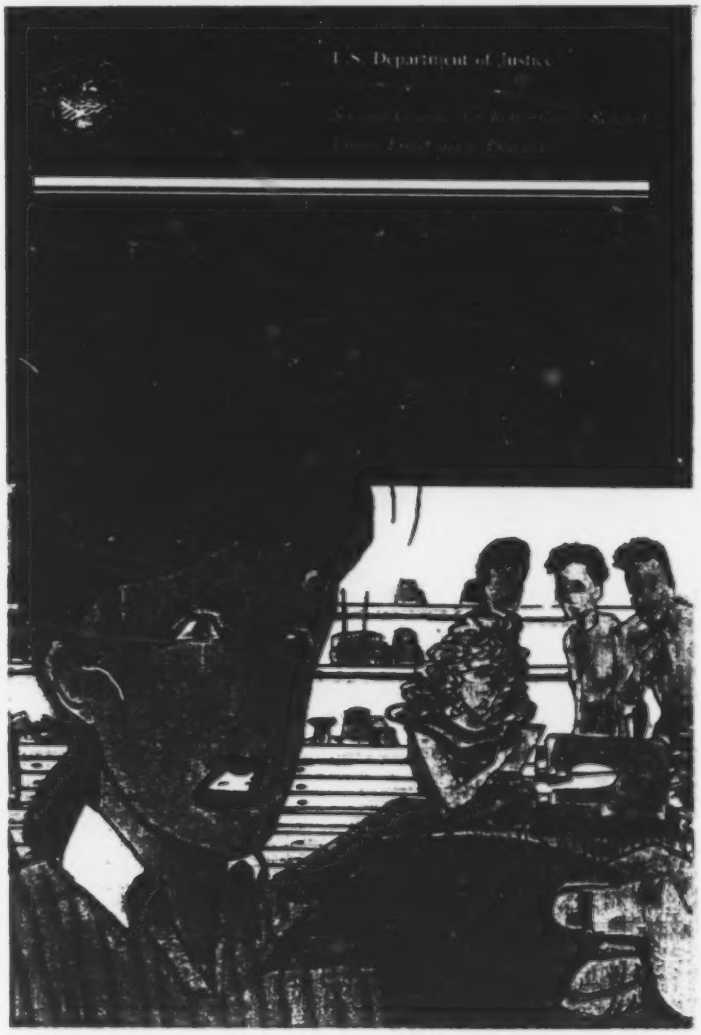
The Equal Employment Opportunity Commission (EEOC) can help you with discrimination if they employer has more than 15 employees.

617-565-3200
1 Congress St., 10th floor
Boston, MA 02114

outside Boston,
call MCAD offices listed above

Reading **"But I Can Work":**

The enclosed picture story is available free of charge from the Office of Special Counsel. It tells one woman's tale of dealing with immigration-related discrimination. Call toll-free (1-800-255-7688) to request as many as you need.



Reading **Nicole's story:**

The story on the following page describes another way workers might come to file a complaint. After reading the two stories, the group can discuss the differences between taking action alone and acting with others.

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Nicole's story:

My name is Nicole. Two years ago, I applied for a job at the department store downtown. They told me they would not hire me because I don't have a green card. They told me they only hire U.S. citizens and immigrants with green cards.

I got a different job the next week, but I was still angry. I talked to my friend, Jean Marc, and he told me that the same thing had happened to his brother at that store. He said that many immigrants have had trouble getting work there.

I decided to talk to them to see if we could do anything about this problem. I called each person. Many people said that they were too busy or too afraid to meet with us. But others were happy to meet. They said that it felt safer to do something in a group. The next week, we all went to the Community Center, where they showed us how to fill out a complaint form. Then we sent the form to Washington. We were all frightened that we would get into trouble with the store. But nothing happened to us.

A lawyer from the Office of Special Counsel talked to the people at the store, and then called us up. The store said they were following the law, and wanted to make sure they didn't hire anyone who was "illegal." The lawyer told them that what they did was against the law. She filed a lawsuit for us.

We won the right to have our jobs back, but we decided that we didn't want to go back to work there. We are happy anyway because some of our friends work there now. We are sure that we helped them get their jobs!

APPENDICES

APPENDIX A

Documents that May Be Used to Fill Out the I-9 Form

Employers must accept any of the following documents, as long as they appear on their face to be valid, and to belong to the person presenting them. A new employee must present documents which prove identity and work authorization; he or she may present one document from list A, or one from B *and* one from C. It is illegal for an employer to refuse to accept the following documents, or to ask for more documents than are necessary.

Documents show both identity and work authorization:
List A

US passport (current or expired)
Unexpired foreign passport with I-551 stamp or with I-94 form with words "Employment Authorized"
Certificate of US Citizenship (N-560 or N-561)
Certificate of Naturalization (N-550 or N-570)
Alien Registration Receipt Card or Resident Alien card with photo (I-151 or I-551)("Green Card")
Temporary Resident Card (I-688)
INS Work Permit (I-688A or I-688B)
Unexpired Refugee Travel Document (I-571)
Unexpired Re-entry Permit (I-327)

Documents that show identity only:
List B

Driver's License or state I.D. with photo or description
School I.D. with photo
I.D. with photo or description issued by a federal, state, or local government agency (including Welfare I.D.)
Canadian driver's license
U.S. military I.D. or draft card
Voter's registration card
Native American Tribal I.D.

For persons under 18, and for the handicapped:
School record, report card
Medical records
Day care or nursery school records
Parent, legal guardian, or rehabilitation agency staff may certify identity

Documents that show work authorization only: **List C**

Social Security Card (unless stamped "not valid for employment")
Document from INS with words "Employment Authorized" (for example, I-94)
U.S. birth certificate (including Puerto Rico, Guam, & US Territories)
Certification of Birth Abroad of US Citizen (FS-545 or DS-1350)
US Citizen I.D. (I-179)
Resident Citizen Card (I-179)
Native American Tribal I.D.

APPENDIX B-1

I-9 Form Filled Out for Social Security Card and Driver's License or State ID

EMPLOYMENT ELIGIBILITY VERIFICATION (Form I-9)

1 EMPLOYEE INFORMATION AND VERIFICATION: (To be completed and signed by employee.)

Name: (Print or Type) Last	First	Middle	Birth Name
Rodriguez	Milagro	Rosa	Garcia
Address: Street Name and Number	**City**	**State**	**ZIP Code**
54221 Elm St #4	Springfield	MA	00000
Date of Birth (Month/Day/Year)		**Social Security Number**	
00/00/00		123-45-6789	

I attest, under penalty of perjury, that I am (check a box):

- ☐ 1. A citizen or national of the United States. CITIZEN
- ☐ 2. An alien lawfully admitted for permanent residence (Alien Number A _____). GREEN CARD
- ☐ 3. An alien authorized by the Immigration and Naturalization Service to work in the United States (Alien Number A _____ or Admission Number _____. expiration of employment authorization, if any _____). OTHER

I attest, under penalty of perjury, the documents that I have presented as evidence of identity and employment eligibility are genuine and relate to me. I am aware that federal law provides for imprisonment and/or fine for any false statements or use of false documents in connection with this certificate.

Signature	Date (Month/Day/Year)
Milagro Rodriguez	00/00/00

PREPARER AND/OR TRANSLATOR CERTIFICATION (To be completed if prepared by person other than the employee.) I attest, under penalty of perjury, that the above was prepared by me at the request of the named individual and is based on all information of which I have any knowledge.

Signature	Name (Print or Type)		
Address (Street Name and Number)	City	State	Zip Code

2 EMPLOYER REVIEW AND VERIFICATION: (To be completed and signed by employer.)

Instructions:
Examine one document from List A and check the appropriate box, *OR* examine one document from List B *and* one from List C and check the appropriate boxes. Provide the *Document Identification Number* and *Expiration Date* for the document checked.

List A Documents that Establish Identity and Employment Eligibility	List B Documents that Establish Identity	and	List C Documents that Establish Employment Eligibility
☐ 1. United States Passport	☒ 1. A State-issued driver's license or a State-issued I.D. card with a photograph, or information, including name, sex, date of birth, height, weight, and color of eyes. (Specify State) Massachusetts		☒ 1. Original Social Security Number Card (other than a card stating it is not valid for employment)
☐ 2. Certificate of United States Citizenship	☐ 2. U.S. Military Card		☐ 2. A birth certificate issued by State, county, or municipal authority bearing a seal or other certification
☐ 3. Certificate of Naturalization	☐ 3. Other (Specify document and issuing authority)		☐ 3. Unexpired INS Employment Authorization Specify form #
☐ 4. Unexpired foreign passport with attached Employment Authorization			
☐ 5. Alien Registration Card with photograph			
Document Identification #	*Document Identification* # 123-45-6789		*Document Identification* # 123-45-6789
Expiration Date (if any)	*Expiration Date (if any)* 8/24/95		*Expiration Date (if any)*

CERTIFICATION: I attest, under penalty of perjury, that I have examined the documents presented by the above individual, that they appear to be genuine and to relate to the individual named, and that the individual, to the best of my knowledge, is eligible to work in the United States.

Signature	Name (Print or Type)	Title
Bob Smith	Bob Smith	Owner
Employer Name	**Address**	**Date**
Smith & Co.	12345 Main St. Holyoke, MA	00/00/00

Form I-9 (05/07/87)
OMB No. 1115-0136

U.S. Department of Justice
Immigration and Naturalization Service

APPENDIX B-2

I-9 Form Filled Out for I-94 which is not in a Passport

EMPLOYMENT ELIGIBILITY VERIFICATION (Form I-9)

1 EMPLOYEE INFORMATION AND VERIFICATION: (To be completed and signed by employee.)

Name: (Print or Type) Last	First	Middle	Birth Name
Klum	Rey	T.	
Address: Street Name and Number	**City**	**State**	**ZIP Code**
4445 Central St.	Beverly	MA	00000
Date of Birth (Month/Day/Year)		**Social Security Number**	
00/00/00		987-65-4321	

I attest, under penalty of perjury, that I am (check a box):

- ☐ 1. A citizen or national of the United States.
- ☐ 2. An alien lawfully admitted for permanent residence (Alien Number A _____).
- ☒ 3. An alien authorized by the Immigration and Naturalization Service to work in the United States (Alien Number A 99 555 666 or Admission Number _____. expiration of employment authorization, if any _____).

I attest, under penalty of perjury, the documents that I have presented as evidence of identity and employment eligibility are genuine and relate to me. I am aware that federal law provides for imprisonment and/or fine for any false statements or use of false documents in connection with this certificate.

Signature Rey Klum — Date (Month/Day/Year) 00/00/00

PREPARER/TRANSLATOR CERTIFICATION (To be completed if prepared by person other than the employee.) I attest, under penalty of perjury, that the above was prepared by me at the request of the named individual and is based on all information of which I have any knowledge.

Signature	Name (Print or Type)		
Address (Street Name and Number)	City	State	Zip Code

2 EMPLOYER REVIEW AND VERIFICATION: (To be completed and signed by employer.)

Instructions:
Examine one document from List A and check the appropriate box. *OR* examine one document from List B *and* one from List C and check the appropriate boxes. Provide the *Document Identification Number* and *Expiration Date* for the documents checked.

List A Documents that Establish Identity and Employment Eligibility	List B Documents that Establish Identity	and	List C Documents that Establish Employment Eligibility
☐ 1. United States Passport	☒ 1. A State-issued driver's license or a State-issued I.D. card with a photograph, or information, including name, sex, date of birth, height, weight, and color of eyes. (Specify State) Massachusetts		☐ 1. Original Social Security Number Card (other than a card stating it is not valid for employment)
☐ 2. Certificate of United States Citizenship	☐ 2. U.S. Military Card		☐ 2. A birth certificate issued by State, county, or municipal authority bearing a seal or other certification
☐ 3. Certificate of Naturalization	☐ 3. Other (Specify document and issuing authority)		☒ 3. Unexpired INS Employment Authorization Specify form # I-94
☐ 4. Unexpired foreign passport with attached Employment Authorization			
☐ 5. Alien Registration Card with photograph			
Document Identification #	*Document Identification* # 987-65-4321		*Document Identification* # 002313212 01
Expiration Date (if any)	*Expiration Date (if any)* 6-5-95		*Expiration Date (if any)*

CERTIFICATION: I attest, under penalty of perjury, that I have examined the documents presented by the above individual, that they appear to be genuine and to relate to the individual named, and that the individual, to the best of my knowledge, is eligible to work in the United States.

Signature	Name (Print or Type)	Title
Susan Mills	Susan Mills	Director of Personnel
Employer Name	**Address**	**Date**
Mills & Co.	1234 Main St., Springfield MA	00/00/00

Form I-9 (05/07/87)
OMB No. 1115-0136

U.S. Department of Justice
Immigration and Naturalization Service

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APPENDIX B-3

I-9 Form Filled Out for I-94 Attached to an Unexpired Foreign Passport

EMPLOYMENT ELIGIBILITY VERIFICATION (Form I-9)

1 EMPLOYEE INFORMATION AND VERIFICATION: (To be completed and signed by employee.)

Name: (Print or Type) Last	First	Middle	Birth Name
Jones	Jane	E.	McCarthy
Address: Street Name and Number	**City**	**State**	**ZIP Code**
12 Elm St.	Springfield	MA	00000
Date of Birth (Month/Day/Year)		**Social Security Number**	
00/00/00		123-45-6789	

I attest, under penalty of perjury, that I am (check a box):

- ☐ 1. A citizen or national of the United States.
- ☐ 2. An alien lawfully admitted for permanent residence (Alien Number A _____).
- ☒ 3. An alien authorized by the Immigration and Naturalization Service to work in the United States (Alien Number A 88 777555, or Admission Number _____, expiration of employment authorization, if any _____).

I attest, under penalty of perjury, the documents that I have presented as evidence of identity and employment eligibility are genuine and relate to me. I am aware that federal law provides for imprisonment and/or fine for any false statements or use of false documents in connection with this certificate.

Signature	Date (Month/Day/Year)
Jane Jones	00/00/00

PREPARER/TRANSLATOR CERTIFICATION (To be completed if prepared by person other than the employee). I attest, under penalty of perjury, that the above was prepared by me at the request of the named individual and is based on all information of which I have any knowledge.

Signature	Name (Print or Type)		
Address (Street Name and Number)	City	State	Zip Code

2 EMPLOYER REVIEW AND VERIFICATION: (To be completed and signed by employer.)

Instructions:
Examine one document from List A and check the appropriate box, *OR* examine one document from List B *and* one from List C and check the appropriate boxes. Provide the *Document Identification Number* and *Expiration Date* for the document checked.

List A Documents that Establish Identity and Employment Eligibility	List B Documents that Establish Identity	and	List C Documents that Establish Employment Eligibility
☐ 1. United States Passport	☐ 1. A State-issued driver's license or a State-issued I.D. card with a photograph, or information, including name, sex, date of birth, height, weight, and color of eyes. (Specify State) _____		☐ 1. Original Social Security Number Card (other than a card stating it is not valid for employment)
☐ 2. Certificate of United States Citizenship	☐ 2. U.S. Military Card		☐ 2. A birth certificate issued by State, county, or municipal authority bearing a seal or other certification
☐ 3. Certificate of Naturalization	☐ 3. Other (Specify document and issuing authority) _____		☐ 3. Unexpired INS Employment Authorization Specify form # _____
☒ 4. Unexpired foreign passport with attached Employment Authorization			
☐ 5. Alien Registration Card with photograph			
Document Identification # I-94 00511222 01	*Document Identification* #		*Document Identification* #
Expiration Date (if any) —	*Expiration Date (if any)*		*Expiration Date (if any)*

CERTIFICATION: I attest, under penalty of perjury, that I have examined the documents presented by the above individual, that they appear to be genuine and to relate to the individual named, and that the individual, to the best of my knowledge, is eligible to work in the United States.

Signature	Name (Print or Type)	Title
Bill Diaz	Bill Diaz	Manager
Employer Name	**Address**	**Date**
Diaz Welding	55 1st St, Springfield MA	00/00/00

Form I-9 (05/07/87)
OMB No. 1115-0136

U.S. Department of Justice
Immigration and Naturalization Service

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APPENDIX C

Common Questions Asked About Green Cards

1) What's the difference between items 2 and 3 on Part 1 of the I-9 form? Which one means that you have a green card?
2) What color is a green card?
3) Who can get a green card?
4) Do "permanent resident aliens" have different rights and responsibilities than citizens or other types of immigrants?
5) What are your rights and responsiblities if you have a different immigration status?
6) How can you get answers to these questions?

Answers to questions:

1) Item 2: An "alien lawfully admitted for permanent residence" is someone who has a "green card." They are called "Permanent Residents." They will become eligible to become citizens after 5 years (3 years if they have married a citizen).

Item 3: There are many situations under which a foreign-born person is authorized to work in the U.S. Some may lead to the person becoming a citizen, some may not. Any non-citizen who is not a "Legal Permanent Resident" would fill out item three.

2) A "Green Card" is not always green! For many years, the card issued was green; then, in the 1980s, the cards issued were pink; and most recently, the cards issued are white. Since Resident Alien cards (Green cards) do not expire, many immigrants still have green "Green cards."

3) Immigrants who are sponsored by a family member already living in the U.S.; non-citizens who marry citizens; foreign-born people who invest $1 million or more and create 10 jobs in the U.S.; people who apply and receive Legal Permanent Resident Visas through yearly Visa Lotteries. People who receive political asylum or enter via refugee status become permanent residents after several years.

4) Most U.S. laws apply to all people equally, whether they are native born or immigrant, regardless of their immigration status (for example, traffic laws, laws against race or sex discrimination, etc.). Other laws specify which types of immigrants are covered, and how they are to be treated (for example, some states have laws that only citizens and permanent residents are eligible for public assistance.)

Like other non-citizens, Permanent Residents cannot vote, and can be deported for committing certain crimes. One interesting difference is that Permanent Residents can be drafted into the U.S. military.

5) People with student or tourist visas are not allowed to work, or are very restricted in the hours and sometimes jobs they can work. Certain immigration statuses require the individual to renew work authorization or other documents once of twice each year.

6) Many charitable organizations (i.e. American Red Cross, Catholic Charities) have departments that help people with immigration problems. The local United Way Information and Referral Service can refer you to an appropriate agency. In some areas, resettlement or ethnic organizations will have staffpeople who can answer these and other questions.

APPENDIX D
Background Information for Scenarios on page 41

#1 English at Work
It is a violation of Federal law (Title VII) to require that employees speak English at all times unless there is a valid business reason for doing so. Also, rules must be clearly stated company policy, not the whim of an individual manager. Often "English only" rules are created because employers are afraidof not understanding what employees are talking about. This does not constitute a valid business reason.

Employees may never be prohibited from speaking their own languages on their break time, lunch time, or other non-work time.

#2 Hiring Citizens Only
Employers with 4 or more employees may not have a policy of hiring "citizens only." The limited exception is where law, or government contract requires the hiring of citizens only. However, these restrictions must apply to individual positions only, and not to all jobs in a given company. A variation on this restriction is when an employer says "we hire immigrants, but only those with Green Cards."

Employers are allowed, on a case by case basis, given equally qualified candidates, to prefer citizen over a non-citizen because of their citizenship status. This is very different than other civil rights laws, where an employer, given equally qualified candidates, is prohibited from preferring someone on the basis of his or her national origin, race, color, religion, ancestry, sex, or age.

#3 Puerto Ricans are Citizens
People born in Puerto Rico are US Citizens from birth. A Puerto Rican birth certificate proves US citizenship. Many native-born Americans do not know the status of Puerto Rico or Puerto Ricans, and ask them for immigration papers. If an applicant has shown sufficient documentation (proving identity and work authorization), it is illegal to ask for "something else" or "something from immigration". Puerto Ricans should be prepared to explain the status of Puerto Rico and their status as citizens to employers.

#4 Showing Documents
Employers are required to ask all employees for proof of work authorization. Asking only workers who look or sound foreign to complete the I-9 Form is illegal discrimination, and violates the other requirements of IRCA – the employer can be fined for not completing the I-9 Form for his or her native-born workers.

Often, if an immigrant shows work authorization papers which the employer does not recognize, or which the employer does not consider "sufficient," the immigrant will be refused the job, or asked to bring in more documentation. This is illegal.

APPENDIX E

Forms for Filing Discrimination Charges

with the Office of Special Counsel

(National Origin or Citizenship Status Discrimination)

U.S. Department of Justice
Office of Special Counsel

Charge Form for Unfair Immigration-Related Employment Practices

Mail To: U.S. Department of Justice
Office of Special Counsel
for Immigration-Related
Unfair Employment Practices
P.O. Box 65490
Washington, D.C. 20035-5490

Instructions

This charge form is to be used only to file a charge alleging discrimination based upon national origin and/or citizenship status in violation of section 102 of the Immigration Reform and Control Act of 1986, 8 U.S.C. § 1324b. This charge form must be filed with the Office of Special Counsel for Immigration Related Unfair Employment Practices.

On the form, "Injured Party" means a person who claims to have been adversely affected directly by an unfair immigration-related employment practice or, in the case of a charge filed by an officer of the Immigration and Naturalization Service or by a Charging Party other than the Injured Party, is alleged to be so affected.

On the form, "Charging Party" means: (1) an individual who files a charge with the Special Counsel that alleges that he or she has been adversely affected directly by an unfair immigration-related employment practice; or (2) an individual or private organization who is authorized by an individual to file a charge with the Special Counsel that alleges that the individual has been adversely affected directly by an unfair immigration-related employment practice; or (3) an officer of the Immigration and Naturalization Service who files a charge with the Special Counsel that alleges that an unfair immigration-related practice has occurred.

The "Charging Party" should complete the charge form in its entirety by typing, or neatly printing, the information requested. If a question is not applicable, it should be left blank.

This charge form must be delivered or mailed to the Office of Special Counsel within 180 days of the alleged discrimination. The Office of Special Counsel's address is:

Office of Special Counsel
for Immigration-Related
Unfair Employment Practices
P.O. Box 65490
Washington, D.C. 20035-5490

Questions concerning this charge form can be directed to the Office of Special Counsel by mail at the above address or by telephone at (202) 653-8121 or 1-800-255-7688 (toll free).

1. Charging Party

Full Name:		Telephone: ( )
Other Names Ever Used:		
Street Address:		
City:	State:	Zip Code:

Injured Party (if INJURED PARTY is same as CHARGING PARTY, write "same")

Full Name:		Telephone: ( )
Other Names Ever Used:		
Street Address:		
City:	State:	Zip Code:

FORM CRT-37
JUL. 87

2. Individual, Business or Organization Which You Believe Has Discriminated:

Full Name:		Telephone (if known): ( )
Street Address:		
City:	State:	Zip Code:

3. Individual, Business or Organization Has (check one):

- ☐ Less than 15 employees, but more than 3 employees.
- ☐ 15 or more employees.
- ☐ Unable to estimate number of employees.

4. Injured Party Was Discriminated Against Because of (check one or both):

- ☐ National Origin
- ☐ Citizenship

5. Injured Party Is:

- ☐ Citizen or National of the United States (if this box is marked continue on to # 6)
- ☐ Alien Authorized To Work in the United States (if this box is marked you must complete the rest of #5)

If INJURED PARTY is an alien authorized to work in the United States:

Alien Registration Number(s): _____

Date of Birth: (day) (month) (year)

If INJURED PARTY is an alien authorized to work in the United States:

Injured Party (check one if applicable):

- ☐ Is lawfully admitted for permanent residence
- ☐ Has status of alien lawfully admitted for temporary residence under 8 U.S.C. §1255a(a)(1)
- ☐ Is admitted as refugee under 8 U.S.C. §1157
- ☐ Has been granted asylum under 8 U.S.C. §1158

If INJURED PARTY is an alien authorized to work in the United States:

INJURED PARTY:	**INJURED PARTY:**
☐ Has applied for naturalization	☐ Has completed a declaration of intention to become a citizen.
Date of Application: _____	
☐ Has not applied for naturalization	Date of Declaration: _____

6. When did the discrimination occur: (date) _____

7. Where did the discrimination occur: (place) _____

8. Describe the discrimination: (use additional sheets if necessary)

_____

_____

_____

_____

_____

9. Has a charge based on this set of facts been filed with the EEOC?

☐ Yes

☐ No

If yes, which office?

Address: _____

City: _____ State: _____

Zip Code: _____ Telephone: ( ) _____

Contact Person: (if known) _____

Date Filed: _____

File No: (if known) _____

10. Affirmation and Signature of Charging Party

(a) If this charge is being filed by the Injured Party:

As a person alleging that I have been injured by an unfair immigration-related employment practice, I understand that the Office of the Special Counsel may find it necessary to reveal my identity and other information during the conduct of the investigation of my charge, during any hearing or other proceeding as a result of my charge, or in limited circumstances in response to inquiries under the Freedom of Information Act. I give my consent. I affirm that, to the best of my knowledge, the information provided on this form is true.

_____ _____

(Signature of Injured Party) *(Date)*

(b) If this charge is being filed by an authorized representative of the Injured Party:

I affirm that, to the best of my knowledge, the information provided on this form is true and that I am authorized to file this charge on behalf of the Injured Party. I understand that the Office of the Special Counsel may find it necessary to reveal my identity during the conduct of the investigation of this charge, during a hearing or other proceeding as a result of this charge, or in limited circumstances in response to inquiries under the Freedom of Information Act. I give my consent.

_____ _____

(Signature of Authorized Representative) *(Date)*

(c) If this charge is being filed by an INS officer:

I affirm that, to the best of my knowledge, the information provided on this form is true. I understand that the Office of the Special Counsel may find it necessary to reveal my identity during the conduct of the investigation of this charge, during a hearing or other proceeding as a result of this charge, or in limited circumstances in response to inquiries under the Freedom of Information Act. I give my consent.

_____ _____

(Signature of INS Officer) *(Date)*

PRIVACY ACT STATEMENT

The authority for requesting this information from you is contained in 8 U.S.C. Section 1324b. The information that you provide will be used principally for investigating and processing your charge of prohibited discrimination; however, the information may also be used for other legitimate purposes, as detailed in this Office's notice published in the Federal Register describing the routine uses of the information obtained by the Office. Your failure to provide the information requested on this form could lead to your charge being dismissed or not being accepted. Knowingly making false statements on this form is punishable under 18 U.S.C. Section 1001.

• U. S. GOVERNMENT PRINTING OFFICE: 1987-181-487:60276

Departamento de Justicia
de los Estados Unidos
Oficina del Consejero Especial

Formulario para denunciar prácticas injustas de empleo relacionadas con la condición de inmigrante

Envíese a: **U.S. Department of Justice**
Office of Special Counsel
for Immigration-Related
Unfair Employment Practices
P.O. Box 65490
Washington, D.C. 20035-5490

Instrucciones

Este formulario debe usarse solamente para presentar una queja de discriminación basada en el origen nacional o la ciudadanía, o en ambas condiciones, en contravención de la sección 102 de la Ley de Reforma y Control de la Inmigración de 1986, Sección 1324b del Título 8 del Código de los Estados Unidos. El formulario debe presentarse ante la Oficina del Consejero Especial para Prácticas Injustas de Empleo Relacionadas con la Condición de Inmigrante.

El término "Parte Perjudicada", como se usa en el formulario, significa una persona que alega haber sido afectada desfavorablemente y en forma directa por una práctica injusta de empleo relacionada con su condición de inmigrante o, en el caso de una queja presentada por un funcionario del Servicio de Inmigración y Naturalización o por un Denunciante diferente de la Parte Perjudicada, una persona que se supone ha sido afectada de ese modo.

El término "Parte Denunciante", como se usa en el formulario, significa: 1) una persona que presenta una queja ante el Consejero Especial, donde alega que ha sido afectada desfavorablemente y en forma directa por una práctica injusta de empleo relacionada con su condición de inmigrante; o 2) una persona u organización privada autorizada por un individuo para presentar una queja ante el Consejero Especial, donde se alega que dicho individuo ha sido afectado desfavorablemente y en forma directa por una práctica injusta de empleo relacionada con su condición de inmigrante; o 3) un funcionario del Servicio de Inmigración y Naturalización que presenta una queja ante el Consejero Especial, donde se alega que una persona ha sido afectada por una práctica injusta relacionada con su condición de inmigrante.

La "Parte Denunciante" deberá suministrar toda la información solicitada en el formulario de denuncia, escribiendo a máquina o con letra clara de imprenta. Si cree que una pregunta no es pertinente, debe dejarla en blanco.

Este formulario de denuncia deberá entregarse o enviarse por correo a la Oficina del Consejero Especial dentro de los 180 días de haber ocurrido la supuesta discriminación. La dirección de la Oficina del Consejero Especial es la siguiente:

Office of Special Counsel
for Immigration-Related
Unfair Employment Practices
P.O. Box 65490
Washington, D.C. 20035-5490

Las preguntas referentes al presente formulario de denuncia se pueden dirigir a la Oficina del Consejero Especial ya sea escribiendo a la dirección antes mencionada o llamando al teléfono (202) 653-8121 o 1-800-255-7688 (llamada sin cargo).

1. Parte Denunciante

Nombre y apellido:		Teléfono ( )
Otros nombres utilizados:		
Dirección: Calle:		
Ciudad:	Estado:	Código Postal (ZIP)

Parte Perjudicada (Si la PARTE PERJUDICADA y la PARTE DENUNCIANTE son una misma persona, escriba "la misma")

Nombre y apellido:		Teléfono ( )
Otros nombres utilizados:		
Dirección: Calle:		
Ciudad:	Estado:	Código Postal (ZIP):

2. Individuo, empresa u organización que, en su opinión, ha discriminado:

Nombre y apellido:		Teléfono (si lo sabe) ( )
Dirección: Calle:		
Ciudad:	Estado:	Código Postal (ZIP):

3. La persona, empresa u organización tiene (marque una):

- ☐ Menos de 15 empleados, pero más de 3
- ☐ 15 empleados o más
- ☐ No puede estimar el número de empleados

4. La parte perjudicada fue objeto de discriminación debido a (marque una de las dos casillas o ambas)

- ☐ Origen nacional
- ☐ Ciudadanía

5. La Parte Perjudicada es:

- ☐ Un ciudadano o natural del los Estados Unidos (si marca esta casilla pase al renglón 6)
- ☐ Un extranjero con permiso para trabajar en los Estados Unidos (si marca esta casilla, debe completar el resto del renglón 5)

Si LA PARTE PERJUDICADA es un extranjero autorizado para trabajar en los Estados Unidos:

No.(s) del Registro de Extranjeros:

Fecha de nacimiento: (día) (mes) (año)

Si LA PARTE PERJUDICADA es un extranjero autorizado para trabajar en los Estados Unidos:

La Parte Perjudicada (marque una casilla si es pertinente):

- ☐ Ha sido admitida legalmente como residente permanente
- ☐ Su condición es de extranjero/a admitido/a legalmente como residente provisional conforme a la sección 1255a(a)(1) del Título 8 del Código de los Estados Unidos
- ☐ Ha sido admitida como refugiado/a conforme a la Sección 1157 del Título 8 del Código de los Estados Unidos
- ☐ Se le ha concedido asilo conforme a la Sección 1158 del Título 8 del Código de los Estados Unidos

Si la PARTE PERJUDICADA es un extranjero autorizado para trabajar en los Estados Unidos:

La PARTE PERJUDICADA:	**La PARTE PERJUDICADA:**
☐ Ha solicitado la naturalización	☐ Ha completado una declaración de intención de hacerse ciudadano.
Fecha de solicitud: _____	Fecha de la declaración: _____
☐ No ha solicitado la naturalización	

6. ¿Cuándo tuvo lugar la discriminación?: (fecha)

7. ¿Dónde tuvo lugar la discriminación?: (lugar)

8. Describa la discriminación (utilice hojas adicionales si es necesario)

_____

_____

_____

_____

_____

9. ¿Ha presentado una queja basada en esta serie de hechos ante la Comisión para Igualdad de Oportunidades de Empleo (EEOC)?

☐ Sí

☐ No

En caso afirmativo, ¿en qué oficina?

Dirección: _____

Ciudad: _____ Estado: _____

Código Postal (ZIP): _____

Teléfono ( ) _____

Persona a la que se presentó (si lo sabe): _____

Fecha en que se presentó: _____

Número del registro (si lo sabe) _____

10. Afirmación y firma de la Parte Denunciante

a) Si la Parte Perjudicada presenta esta queja:

Como persona que alega haber sido perjudicada por una práctica injusta de empleo relacionada con mi condición de inmigrante, entiendo que la Oficina del Consejero Especial puede necesitar dar a conocer mi identidad y otros datos durante el proceso de investigación de mi queja, durante toda audiencia u otro procedimiento como consecuencia de mi queja, o en circunstancias limitadas como respuesta a preguntas conforme a la Ley de Libertad de Información. Doy mi consentimiento para ello. Afirmo que, a mi mejor saber y entender, la información suministrada en este formulario es verídica.

_____ _____

(Firma de la Parte Perjudicada) *(Fecha)*

b) Si un representante autorizado de la Parte Perjudicada presenta esta queja:

Afirmo que, a mi mejor saber y entender, la información suministrada en el presente formulario es verídica y que estoy autorizado para presentar esta queja en nombre de la Parte Perjudicada. Entiendo que la Oficina del Consejero Especial puede necesitar dar a conocer mi identidad durante el proceso de investigación de la presente queja, durante una audiencia u otro procedimiento como consecuencia de dicha queja, o en circunstancias limitadas como respuesta a preguntas conforme a la Ley de Libertad de Información. Doy mi consentimiento para ello.

_____ _____

(Firma del representante autorizado) *(Fecha)*

c) Si un funcionario del Servicio de Inmigración y Naturalización presenta esta queja:

Afirmo que, a mi mejor saber y entender, la información suministrada en este formulario es verídica. Entiendo que la Oficina del Consejero Especial puede necesitar dar a conocer mi identidad durante el proceso de investigación de la presente queja, durante una audiencia u otro procedimiento como consecuencia de dicha queja, o en circunstancias limitadas como respuesta a preguntas conforme a la Ley de Libertad de Información. Doy mi consentimiento para ello.

_____ _____

(Firma del funcionario del Servicio de Inmigración y Naturalización) *(Fecha)*

DECLARACIÓN DE LA LEY DE INFORMACIÓN PRIVADA

Esta informacion se solicita a tenor de la Seccion 1324b del Titulo 8 del Codigo de los Estados Unidos. La informacion facilitada se utilizara, principalmente, para la investigacion y tramitacion de su queja de discriminacion prohibida; sin embargo, dicha informacion tambien se puede utilizar para otros fines legitimos, como se explican detalladamente en el aviso de esta Oficina publicado en el Registro Federal que describe los usos ordinarios de la informacion obtenida por la Oficina. Si no facilita la informacion solicitada en el presente formulario, ello puede causar que se desestime o no se acepte su queja. Las declaraciones falsas, a sabiendas, en este formulario se castigan conforme a la Seccion 1001 del Titulo 18 del Codigo de los Estados Unidos.

APPENDIX F

Resources for Employment Discrimination

Office of Special Counsel
Citizenship-Status Discrimination Information and Complaints
Office of Special Counsel
PO Box 65490
Washington, DC 20035-5490

1-800-255-7688
TDD 1-800-237-2515

MCAD (Massachusetts Commission Against Discrimination)
Civil Rights Information and Complaints
617-727-3990
1 Ashburton Place
Boston, MA 02108

Worcester (508) 752-2272
Springfield (413) 739-2145
New Bedford (508) 997-3191

EEOC (Equal Employment Opportunity Commission)
Civil Rights Information and Complaints
617-565-3200
1 Congress St., 10th fl.
Boston, MA 02114

outside Boston,
call MCAD offices listed above

Resources for Other Workplace Problems

Minimum Wage
Mass. Department of Labor and Industries
617-727-3476

Overtime
U.S. Labor, Wage, and Hour Office
617-223-9970

Child Labor Laws
Mass. Department of Labor and Industries
727-3460

Health And Safety
Mass. Coalition for Occupational Safety and Health (MassCOSH)
617-247-3456

Workers Rights
IRATE (Immigrant Rights Advocacy Training and Education Project)
617-266-0795